

REMARKS

By the present amendments, Applicants have amended the Specification per the Examiner's request and has amended Claims 11, 13, 15-18 and 25. Support for the amendments is found in the Specification, for example at Page 2, lines 1-5; Page 3 lines 1-8; Page 3, line 30 to page 4, line 6 and Page 5, lines 1-8.

Applicant submits that no new matter has been added by this amendment.

Upon entry of this amendment, Claims 11-25 are pending. No additional claims fee is believed to be due.

Objections to the Specification:

The Specification has been objected to by the Examiner with respect to the English system and metric system not being consistent. Applicant has corrected the Specification to overcome these objections. Accordingly, Applicant respectfully requests withdrawal of the objections.

Rejections Under 35 USC 112:

Claim 25 is rejected by the Examiner under 35 USC 112, second paragraph, as allegedly being indefinite. Applicant respectfully submits that Claim 25, as amended, is no longer indefinite and thus, respectfully requests withdrawal of this rejection.

Rejections Under 35 USC 102(b):

Claims 11-19, 21 and 23-24 are rejected by the Examiner under 35 USC 102(b) as allegedly being anticipated by U.S. Patent No. 5,238,587 to Smith et al. ("Smith"). The Examiner asserts that Smith shows a dry cleaning system comprising a heating vessel (dryer) for containing the fabrics and a carrier sheet comprising a liquid cleaning/refreshment composition as well as a method for dry cleaning.

Applicant respectfully submits that Claims 11 and 13-18, as amended, (the independent claims), are not anticipated by Smith because Smith fails to teach each and every element of the claimed invention. Applicant submits that Smith requires a bag for its method and kit, whereas as claimed invention as claimed in Claims 11 and 13-18, as amended, is bagless. Accordingly, Applicant respectfully submits that Claims 11 and 13-18, as amended, are not anticipated by Smith. Further, Applicant submits that Claims 12, 19 and 21-25, which ultimately depend from Claim 11, as amended, are not anticipated by Smith for the same reason that Claim 11, as amended, is not anticipated by Smith.

Claims 11-19 and 23-24 are rejected by the Examiner under 35 USC 102(e) as allegedly being anticipated by U.S. Patent No. 5,876,462 to Weller et al. ("Weller"). The Examiner asserts that Weller teaches a dry cleaning system comprising a heating vessel (dryer) for containing the fabrics and a carrier sheet comprising a liquid

BEST AVAILABLE COPY

cleaning/refreshment composition as well as a method for dry cleaning.

Applicant respectfully submits that Claims 11 and 13-18, as amended, (the independent claims), are not anticipated by Weller because Weller fails to teach each and every element of the claimed invention. Applicant submits that Weller requires a bag for its method and kit, whereas as claimed invention as claimed in Claims 11 and 13-18, as amended, is bagless. Accordingly, Applicant respectfully submits that Claims 11 and 13-18, as amended, are not anticipated by Weller. Further, Applicant submits that Claims 12, 19 and 23-24, which ultimately depend from Claim 11, as amended, are not anticipated by Weller for the same reason that Claim 11, as amended, is not anticipated by Weller.

Rejections Under 35 USC 103:

Claims 20-22 are rejected by the Examiner under 35 USC 103 as allegedly defining obvious subject matter over Smith, discussed above, in view of U.S. Patent No. 5,789,368 to You et al. ("You"). The Examiner asserts that Smith fails to teach an Absorbent Stain Receiver and a pre-treating composition, so in order to overcome Smith deficiencies, the Examiner attempts to combine the teachings of You with the teachings of Smith. The Examiner relies upon You for the teaching of an Absorbent Stain Receiver and the pre-treating composition.

Applicant respectfully submits that the teachings of Smith and You, combined or alone, fail to teach each and every element of the claimed invention as Claimed in Claim 11, as amended, from which Claims 20-22, ultimately depend. Applicant submits that neither Smith nor You teach a bagless kit and/or a bagless system. Accordingly, Applicant respectfully submits that Claims 20-22 are not rendered obvious over Smith in view of You. MPEP 2143.03.

Claims 20-22 are rejected by the Examiner under 35 USC 103 as allegedly defining obvious subject matter over Weller, discussed above, in view of You, discussed above. The Examiner asserts that Weller fails to teach an Absorbent Stain Receiver and a pre-treating composition, so in order to overcome Weller's deficiencies, the Examiner attempts to combine the teachings of You with the teachings of Weller. The Examiner relies upon You for the teaching of an Absorbent Stain Receiver and the pre-treating composition.

Applicant respectfully submits that the teachings of Weller and You, combined or alone, fail to teach each and every element of the claimed invention as Claimed in Claim 11, as amended, from which Claims 20-22, ultimately depend. Applicant submits that neither Weller nor You teach a bagless kit and/or a bagless system. Accordingly, Applicant respectfully submits that Claims 20-22 are not rendered obvious over Weller in view of You. MPEP 2143.03.

Claim 25 is rejected by the Examiner under 35 USC 103 as allegedly defining

BEST AVAILABLE COPY

BEST AVAILABLE COPY

obvious subject matter over Smith, discussed above, or Weller, discussed above. The Examiner asserts that Smith and Weller both teach a dry cleaning system but fail to specifically recite the surface area of the carrier sheet used in the dry cleaning system. The Examiner concludes that the surface area of the carrier sheet would have been obvious to one of ordinary skill at the time the invention was made.

Applicant respectfully disagrees with the Examiner's conclusion. Further, Applicant respectfully submits that the teachings of Smith and Weller, combined or alone, fail to teach each and every element of the claimed invention as Claimed in Claim 11, as amended, from which Claim 25, as amended, ultimately depends. Applicant submits that neither Smith nor Weller teach a bagless kit and/or a bagless system. Accordingly, Applicant respectfully submits that Claim 25 is not rendered obvious over Smith or Weller. MPEP 2143.03.

Obviousness-type Double Patenting Rejections:

Claims 11-25 are rejected by the Examiner under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-24 of U.S. Patent No. 6,243,969.

To overcome the obviousness-type double patenting rejection, Applicant submits herewith a proper Terminal Disclaimer. Accordingly, Applicant respectfully requests withdrawal of this rejection.

CONCLUSION

Applicant has made an earnest effort to distinguish the claimed invention from the applied documents and to place the present application in condition for allowance. WHEREFORE, entry of the claim amendments, reconsideration of the rejections of the claims, as amended, in light of the Remarks provided, and allowance of Claims 11-25, as amended, are respectfully requested.

Respectfully submitted,
BRUCE ALBERT YEAZELL

By



C. Brant Cook
Attorney for Applicant(s)
Registration No. 39,151
(513) 627-8150

December 20, 2000
Cincinnati, Ohio

6805AMD

Marked Up Version of Specification

Subparagraph at page 3, line 16:

- (iii) heating the air within the device to at least about 100°F (37.8°C) [(40°C)]; and

Paragraph at page 9, lines 3-11:

The carrier should be of a size which provides sufficient surface area that it permits the rapid evaporation of water and other ingredients as discussed herein, e.g. perfume. Of course, the size of the carrier should not be so large as to be unhandy for the user. Typically, the dimensions of the carrier will be sufficient to provide a macroscopic surface area (both sides of the carrier) of at least about wherein the one or more carrier sheets have an aggregate surface area of from about 250 in² (1,613 cm²) [(1,500 cm²)] to about 6,000 in² (38,710 cm²) [(40,000 cm²)] and/or from about 250 in² (1,613 cm²) to about 1,000 in² (6,452 cm²). For example, a rectangular carrier may have the dimensions (X-direction) of from about 40 cm to about 80 cm, and (Y-direction) of from about 40 cm to about 80 cm. Two or more smaller carrier sheets can be used when a larger surface area is desired (or needed) as is discussed above.

Paragraph at page 26, lines 27-32:

Step 2. Following the pre-spotting step, the fabric article is placed into a conventional clothes dryer together with the sheets (which are removed from the storage pouch and unfolded) releasably containing the liquid cleaning/refreshment composition of Example II. The dryer is operated in standard fashion for 10-60 minutes at a high heat setting (an air temperature range of about 140-170°F; 60-76.7°C [70°C]). After the tumbling action of the dryer ceases, the cleaned and refreshed fabric article is removed from the dryer. The used carrier sheets are discarded.

Paragraph at page 28, lines 18-23:

With respect to the wrinkle-removing function of the in-dryer step of the process and the compositions herein, it will be appreciated that wrinkling can be affected by the type of fabric, the fabric weave, fabric finishes, and the like. For fabrics which tend to wrinkle, it is preferred not to overload the dryer. Thus, for a dryer with, for example, an operational capacity of up to about 3.5 to 7.0 cubic feet (99,110 to 198,200 cubic centimeters) [(100,000 to 200,000 cubic centimeters)], it may be best to process up to only about 35% to about 40% of the dryer capacity, to further minimize wrinkling of the fabric articles.

BEST AVAILABLE COPY

Marked Up Version of Claims

BEST AVAILABLE COPY

11. A bagless kit for dry cleaning fabrics comprising one or more carrier sheets that releasably comprise an amount of a liquid cleaning/refreshment composition such that when fabrics are exposed to said liquid cleaning/refreshment composition within a heating vessel, in the absence of a bag, the fabrics are cleaned.
13. A method for cleaning fabrics in need of cleaning comprising:
- a) placing the fabrics in a heating vessel;
 - b) placing a carrier sheet that releasably comprises an amount of a liquid cleaning/refreshment composition, such that when the fabrics are exposed to said liquid cleaning/refreshment composition the fabrics are cleaned, into the heating vessel; and
 - c) operating the heating vessel, in the absence of a bag, such that the carrier sheet releases the liquid cleaning/refreshment composition in the form of a liquid vapor within the heating vessel.
15. A method for cleaning fabrics in need of cleaning comprising:
- a) placing the fabrics in a heating vessel;
 - b) introducing an amount of a liquid cleaning/refreshment composition into the heating vessel such that the fabrics are cleaned; and
 - c) operating the heating vessel, in the absence of a bag, such that the liquid cleaning/refreshment composition cleans the fabrics.
16. A system for dry cleaning fabrics comprising an amount of a liquid cleaning/refreshment composition contained within a heating vessel, wherein fabrics present in the heating vessel are cleaned upon operating said heating vessel, in the absence of a bag.
17. A method for dry cleaning fabrics in a heating vessel without adding wrinkles to the fabric articles comprising:
- a) placing the fabrics in a heating vessel;
 - b) placing a carrier sheet that releasably comprises an amount of a liquid cleaning/refreshment composition, such that when the fabrics are exposed to said liquid cleaning/refreshment composition the fabrics are cleaned, into the heating vessel; and
 - c) operating the heating vessel, in the absence of a bag, such that the carrier sheet releases the liquid cleaning/refreshment composition in the form of a liquid vapor within the heating vessel.

BEST AVAILABLE COPY

18. A method for cleaning fabrics in need of cleaning comprising:

- a) placing the fabrics in a heating vessel;
- b) exposing said fabrics within the heating vessel, in the absence of a bag, to an amount of liquid cleaning/refreshment composition for an amount of time such that the fabrics are cleaned.

25. A kit according to Claim 11 wherein the one or more carrier sheets have an aggregate surface area of from about 250 in² (1613 cm²) [(1,500 cm²)] to about 1,000 in² (6452 cm²) [(6,500 cm²)].